

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BRIDGEPORT MUSIC, INC., et al.,)	
)	
Plaintiffs,)	
)	
v.)	NO. 3:01-0412
)	Jury Demand
DIMENSION FILMS, et al.,)	Judge Campbell/Brown
)	
Defendants.)	

O R D E R

The plaintiffs have filed in the original case a motion to apply the agreed order entered in Bridgeport Music, Inc., et al., v. EMI April Music, No. 3:01-0698 (Docket Entry No. 63) to a large number of additional cases (Docket Entry No. 466). In this motion the plaintiffs request that the multi-track masters be produced on or before Monday, February 4, 2002.

As an initial matter, the Magistrate Judge is extremely disappointed that the plaintiffs, having entered into an agreed order, are now pointing out what they consider significant deficiencies with the agreed order they signed, and asking the Magistrate Judge to clear up their apparent oversights or mistakes.

The Magistrate Judge gave the parties additional time to work on the agreed order in lieu of preparing his own. When the Magistrate Judge signed the agreed order he certainly hoped that it in fact resolved the issues around the production of the multi-track masters. Obviously such is not the case.

This document was entered on
the docket in compliance with
Rule 58, and/or Rule 79(a),
FRCP, on 3-30-02 By: [Signature]

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As to those defendants covered by the original agreed order as set forth in Exhibit B to Docket Entry No. 63 in the case numbered 3:01-0698, such multi-track masters shall be delivered to the defendants' Nashville counsel **on or before the close of business on February 4, 2002.** Exhibit A to the motion to apply multi-track masters to all defendants and all cases (Docket Entry No. 466) is **GRANTED** in part. The plaintiffs have attached as Exhibit A list of the cases to which this motion is applicable. Without doing a hand comparison, the Magistrate Judge is unable to tell which cases were not covered by the original agreed order.

The plaintiffs shall submit a list which differentiates between those cases covered in the original order and the cases covered in this motion. The plaintiffs shall serve a copy of this Order on such additional parties. The plaintiffs should serve this Order on only those defendants they reasonably believe have multi-track masters. The Clerk need not serve this Order in any case other than the case of 3:01-0412.

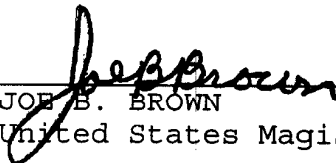
Since these new defendants have not had the benefit of participating in the agreed order, the Magistrate Judge is unwilling to propose a February 4, 2002, deadline on them. However, the Magistrate Judge does believe that the multi-track masters must be produced and the procedure for handling multi-track masters as provided in the agreed order is reasonable.

Accordingly, the agreed order (Docket Entry No. 63) in Case No. 3:01-0698 shall apply to the remaining cases to which

motions for production of multi-track masters are applicable. The plaintiffs shall file in the case numbered 3:01-0412 a specific list of these additional cases. The defendants who have multi-track masters shall then provide multi-track masters under the terms of the agreed order on or before March 1, 2002.

The protocol for production of the multi-track masters is set out in the Agreed Order entered in the case of Bridgeport Music, Inc. et al., v. EMI April Music, Inc., et al., No. 3:01-0698 (Docket Entry No. 63), and the provisions of that protocol are hereby adopted in this case. The Clerk is directed to post a copy of the full order on the court's webpage, www.tnmd.uscourts.gov, under Selected Opinions, Bridgeport Music, Inc. Cases, with the title Order Re: Production of Multi-track Masters.

It is so ORDERED.


JOE B. BROWN
United States Magistrate Judge